

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:	:	
Cesar H. Torres	:	Chapter 13
	:	
Debtor	:	Case No.: 18-11824 MDC

**MOTION FOR AUTHORITY TO SELL REAL PROPERTY FREE AND
CLEAR OF LIENS AND ENCUMBRANCES**

NOW INTO COURT COMES, Cesar H. Torres, hereinafter referred to as “Debtor”, brings this Motion to Sell Real Property under Eastern District of Pennsylvania Local Rule 6004-1 and Section 363 of the United States Bankruptcy Code and in support thereof avers the following:

1. Debtor, commenced the case on March 16th, 2018 by filing a Voluntary Petition for relief under Chapter 13 of the Bankruptcy Code.
2. The Debtor’s residence is located at 6032 Hasbrook Avenue, Philadelphia, PA 19111 (hereinafter referred to as “the property”).
3. Debtor believes it to be in his best financial interest to sell the property.
4. In furtherance of the sale, on or about March 20, 2018 the Debtor retained the assistance of Marisol Sierra a duly licensed realtor with MIS Realty Philadelphia.
5. On or about March 23, 2018, Debtor, by and through his realtor entered into an Agreement of Sale of the property in the amount of \$124,900.00. A true and correct copy of the Agreement of Sale is attached hereto and labeled “**Exhibit A.**”
6. The tentative settlement date for the sale has been set for April 27, 2018.

7. The Debtor is the sole owner of the property.
8. The Buyer, Yocaty Rivera-Sanchez, is not an insider of the Debtor, and the sale represents an arms-length transaction between the parties made without fraud and/or collusion.
9. From the sale proceeds the Debtor intends to satisfy his first mortgage lien in full at closing. A true and correct copy of the Debtors' Estimated Settlement Sheet is attached hereto and labeled "**Exhibit B.**"
10. Per the Estimated Settlement Sheet, Debtor is set to receive \$16,461.01 in proceeds at closing of the sale of the property, an amount that is fully exempt under the Debtor's 11 U.S.C. 522(d)(1) Homestead Exemption.
11. The Debtor believes this is in his best financial interest and will allow him to reorganize successfully in his Chapter 13 Bankruptcy.

WHEREFORE, Debtor, respectfully request that the Court enter an Order: (i) Granting this Motion, (ii) Authorizing the Debtor to sell the Property to the proposed buyer under the terms of that Agreement for the Sale of Real Estate free and clear of liens, claims interests and encumbrances and (iii) Granting the Debtor such other and further relief to which they may be justly entitled.

Dated: March 27, 2018

/s/Brad J. Sadek, Esq

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